

# EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BIOVAIL LABORATORIES	)	
INTERNATIONAL SRL	)	
a corporation of Barbados,	)	
	)	
Plaintiff,	)	C.A. No. 05-586-GMS
	)	C.A. No. 05-730-GMS
v.	)	C.A. No. 06-620-GMS
	)	CONSOLIDATED
ANDRX PHARMACEUTICALS, LLC	)	
and ANDRX CORPORATION	)	
	)	
Defendants.	)	

**ORDER**

The Court, having considered Andrx's Motion for Leave to File its First Amended Answer, Affirmative Defenses and Counterclaims, is of the opinion that the motion should be GRANTED. The First Amended Answer, Affirmative Defenses and Counterclaims is deemed filed and served as of the date of this Order.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE